

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV. 11-2000)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

PF3623USW

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/936,506

INTERNATIONAL APPLICATION NO.

PCT/EP00/02031

INTERNATIONAL FILING DATE

9 March 2000

PRIORITY DATE CLAIMED

11 March 1999

TITLE OF INVENTION

**METHOD TO IMPROVE TRANSLATION OF POLYPEPTIDES BY USING UNTRANSLATED REGIONS FROM  
HEAT-SHOCK PROTEINS**

APPLICANT(S) FOR DO/EO/US

**Herve Jean-Clement COSTE; Jonathan Henry ELLIS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail Label No. EV330916332US
23. ☒ Other items or information:

**Sequence Listing (paper copy) and Statement to Support; copies of Notification of Defective Response and  
Withdrawal of Previously sent Notice**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1)) <b>09/936,506</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP00/02031</b>	ATTORNEY'S DOCKET NUMBER <b>PF3623USW</b>
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24. The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b>				<b>CALCULATIONS PTO USE ONLY</b>		
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	<b>\$1060.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	<b>\$900.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	<b>\$750.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	<b>\$720.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	<b>\$100.00</b>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$0.00</b>				
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30	<b>\$0.00</b>			
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>			
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>		
Independent claims	- 3 =	0	x \$84.00	<b>\$0.00</b>		
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$0.00</b>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$0.00</b>		
<b>SUBTOTAL =</b>				<b>\$0.00</b>		
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).				<input type="checkbox"/> 20 <input type="checkbox"/> 30	<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$0.00</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$0.00</b>		
				Amount to be refunded	\$	
				charged	\$	

- a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number

**23347**

SIGNATURE

**Michael M. Conger**

NAME

**43,562**

REGISTRATION NUMBER

August 20, 2003  
DATE

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Herve Jean-Clement COSTE et al.**

Docket No.

**PF3623USw**

Serial No.

**09/936,506**

Filing Date

**December 20, 2001**

Examiner

Group Art Unit

Invention: **METHOD TO IMPROVE TRANSLATION OF POLYPEPTIDES BY USING UNTRANSLATED REGIONS FROM HEAT-SHOCK PROTEINS**

I hereby certify that the following correspondence:

**Response to Notice of Defective Response (Sequence Listing) and accompanying documents***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 20, 2003  
(Date)

**Marjorie J. Pfeiffer***(Typed or Printed Name of Person Mailing Correspondence)*

*Marjorie J. Pfeiffer*  
(Signature of Person Mailing Correspondence)

**EV330916332US****Note: Each paper must have its own certificate of mailing.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

IPM (POM)  
 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/936,506	FIRST NAMED APPLICANT Herve Jean-Clement Coste	ATTY. DOCKET NO. PF3623USW
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INTERNATIONAL APPLICATION NO. PCT/EP00/02031
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IA. FILING DATE 03/09/2000	PRIORITY DATE 03/11/1999
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23347  
 DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY  
 GLAXOSMITHKLINE  
 FIVE MOORE DR., PO BOX 13398  
 RESEARCH TRIANGLE PARK, NC 27709-3398

CONFIRMATION NO. 6111  
 371 FORMALITIES LETTER



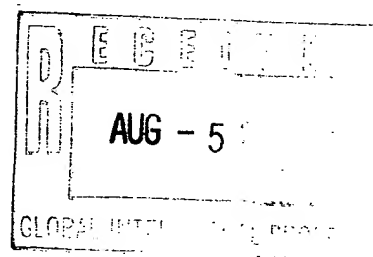
\*OC000000010586330\*

Date Mailed: 07/30/2003

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 09/11/2001
- Copy of the International Search Report filed on 09/11/2001
- Copy of IPE Report filed on 09/11/2001
- Preliminary Amendments filed on 09/11/2001
- Information Disclosure Statements filed on 09/11/2001
- Oath or Declaration filed on 12/20/2001
- Request for Immediate Examination filed on 09/11/2001
- Copy of references cited in ISR filed on 09/11/2001
- U.S. Basic National Fees filed on 09/11/2001
- Priority Documents filed on 09/11/2001



Applicant's response filed 09/11/2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/02/2001 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).

- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
09/936,506	PCT/EP00/02031	PF3623USW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO. 09/936,506	FIRST NAMED APPLICANT Herve Jean-Clement Coste	ATTY. DOCKET NO. PF3623USW
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INTERNATIONAL APPLICATION NO.
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PCT/EP00/02031

I.A. FILING DATE 03/09/2000	PRIORITY DATE 03/11/1999
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23347  
 DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY  
 GLAXOSMITHKLINE  
 FIVE MOORE DR., PO BOX 13398  
 RESEARCH TRIANGLE PARK, NC 27709-3398

CONFIRMATION NO. 6111

371 WITHDRAWAL NOTICE



\*OC000000010210973\*

Date Mailed: 07/30/2003

## WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 01/11/2002 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the enclosed Notice. We apologize for any inconvenience this caused.

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY